

117TH CONGRESS  
1ST SESSION

# H. R. 5077

To study and facilitate the abatement and removal of environmental hazards in homes rehabilitated with community participation, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

AUGUST 23, 2021

Mr. SEAN PATRICK MALONEY of New York (for himself and Mr. SUOZZI) introduced the following bill; which was referred to the Committee on Financial Services

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## A BILL

To study and facilitate the abatement and removal of environmental hazards in homes rehabilitated with community participation, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-  
2 tives of the United States of America in Congress assembled,*

**3 SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Removing Environ-  
5 mental Hazards And Building Safely Act of 2021” or the  
6 “REHABS Act of 2021”.

1   **SEC. 2. STUDY AND REMOVAL OF ENVIRONMENTAL HAZ-**

2                   **ARDS IN HOMES BEING REHABILITATED.**

3         (a) STUDY.—Not later than 1 year after the date of  
4   enactment of this Act, the Secretary of Housing and  
5   Urban Development shall conduct a study on—

6                 (1) the best methods to assess the amount of  
7   mold in a single family home prior to such home  
8   being rehabilitated;

9                 (2) the danger posed by mold in a single family  
10   home prior to such home being rehabilitated; and

11                 (3) best practices for safely removing mold  
12   when rehabilitating a single family home.

13         (b) REPORT.—Not later than 30 days after the com-  
14  pletion of the study pursuant to subsection (a), the Sec-  
15  retary shall submit a report to Congress containing the  
16  results of such study, and make such report available on  
17  a public website of the Department.

18   **SEC. 3. GRANT PROGRAM FOR THE ABATEMENT AND RE-**

19                   **MOVAL OF ENVIRONMENTAL HAZARDS FROM**  
20                   **HOMES.**

21         (a) GRANT AUTHORITY.—The Secretary may, to the  
22  extent amounts are available to carry out this section and  
23  the requirements of this section are met, make grants to  
24  provide for or facilitate the abatement and removal of en-  
25  vironmental hazards in homes being rehabilitated to na-  
26  tional and regional organizations and consortia that have

1 experience in providing for or facilitating the abatement  
2 and removal of environmental hazards from homes.

3 (b) GOALS AND ACCOUNTABILITY.—In making  
4 grants under this section, the Secretary shall take such  
5 actions as may be necessary to ensure that—

6 (1) assistance provided under this section is  
7 used to provide for or facilitate the abatement and  
8 removal of environmental hazards in homes being re-  
9 habilitated through the provision of self-help hous-  
10 ing, under which the homeowner contributes a sig-  
11 nificant amount of sweat equity toward the rehabili-  
12 tation of the dwelling;

13 (2) the dwellings for which abatement or re-  
14 moval is performed in connection with assistance  
15 provided under this section are quality dwellings  
16 that comply with local building and safety codes and  
17 standards and are available at prices below the pre-  
18 vailing market prices;

19 (3) the provision of assistance under this sec-  
20 tion establishes and fosters a partnership between  
21 the Federal Government and organizations and con-  
22 sortia, resulting in efficient rehabilitation of afford-  
23 able housing with minimal governmental interven-  
24 tion, limited governmental regulation, and signifi-  
25 cant involvement by private entities;

1                         (4) activities to rehabilitate housing assisted  
2                         pursuant to this section involve community participation  
3                         in which volunteers assist in the rehabilitation  
4                         of dwellings; and

5                         (5) assistance under this section for the abatement or removal of environmental hazards is provided for dwellings on a geographically diverse basis,  
6                         which shall include areas having high housing costs,  
7                         rural areas, and areas underserved by other home-  
8                         ownership opportunities that are populated by low-  
9                         income families unable to otherwise afford housing.

10          If, at any time, the Secretary determines that the goals  
11          under this subsection cannot be met by providing assistance in accordance with the terms of this section, the Secretary shall immediately notify the applicable Committees  
12          in writing of such determination and any proposed  
13          changes for such goals or this section.

14          (c) NATIONAL COMPETITION.—The Secretary shall  
15          select organizations and consortia referred to in subsection  
16          (a) to receive grants through a national competitive process, which the Secretary shall establish.

17          (d) USE.—Amounts from grants made under this  
18          section, including any recaptured amounts, shall be used  
19          only for the abatement and removal of environmental hazards in connection with rehabilitating existing homes to

1 make them decent, safe, and sanitary nonluxury dwellings  
2 in the United States for families and persons who other-  
3 wise would be unable to afford to purchase a dwelling.

4 (e) ESTABLISHMENT OF GRANT FUND.—

5 (1) IN GENERAL.—Any amounts from a grant  
6 made under this section shall be deposited by the  
7 grantee organization or consortium in a fund that is  
8 established by such organization or consortium for  
9 such amounts, administered by such organization or  
10 consortium, and available only for the uses described  
11 in subsection (d). Any interest, fees, or other earn-  
12 ings of the fund shall be deposited in the fund and  
13 shall be considered grant amounts for purposes of  
14 this section.

15 (2) ASSISTANCE TO AFFILIATES.—Any organi-  
16 zation or consortia that receives a grant under this  
17 section may use amounts in the fund established for  
18 such organizations or consortia pursuant to para-  
19 graph (1), for the uses described in subsection (d),  
20 by providing assistance from the fund to local affili-  
21 ates of such organizations and consortia.

22 (f) REQUIREMENTS FOR ASSISTANCE.—The Sec-  
23 retary may make a grant to an organization or consortium  
24 under subsection (a) only pursuant to—

1                   (1) an expression of interest by such organization  
2                   or consortia to the Secretary for a grant for  
3                   such purposes; and

4                   (2) a grant agreement entered into under sub-  
5                   section (g).

6                   (g) GRANT AGREEMENT.—A grant under this section  
7                   shall be made only pursuant to a grant agreement entered  
8                   into by the Secretary and the organization or consortia  
9                   receiving the grant, which shall—

10                  (1) require such organization or consortia to  
11                  use grant amounts only as provided in this section;

12                  (2) require the organization or consortia to use  
13                  the grant amounts in a manner that leverages other  
14                  sources of funding other than grants under this sec-  
15                  tion, including private or public funds, in rehabili-  
16                  tating dwellings;

17                  (3) provide that the Secretary shall recapture  
18                  any grant amounts provided to the organization or  
19                  consortia that are not used within 24 months after  
20                  such amounts are first disbursed to the organization  
21                  or consortia; and

22                  (4) contain such other terms as the Secretary  
23                  may require to provide for compliance with sub-  
24                  section (b) and the requirements of this section.

1       (h) FULFILLMENT OF GRANT AGREEMENT.—If the  
2 Secretary determines that an organization or consortia  
3 awarded a grant under this section has not, within 24  
4 months after grant amounts are first made available to  
5 the organization or consortia, substantially fulfilled the ob-  
6 ligations under the grant agreement, the Secretary shall  
7 use any such undisbursed amounts remaining from such  
8 grants for other grants in accordance with this section.

9       (i) RECORDS AND AUDITS.—During the period begin-  
10 ning upon the making of a grant under this section and  
11 ending upon close-out of the grant under subsection (j)—

12           (1) the organization awarded the grant shall  
13 keep such records and adopt such administrative  
14 practices as the Secretary may require to ensure  
15 compliance with the provisions of this section and  
16 the grant agreement; and

17           (2) the Secretary and the Comptroller General  
18 of the United States, and any of their duly ap-  
19 pointed representatives, shall have access for the  
20 purpose of audit and examination to any books, doc-  
21 uments, papers, and records of the grantee organiza-  
22 tion or consortia and its affiliates that are pertinent  
23 to the grant made under this section.

24       (j) ADMINISTRATION.—The Secretary shall admin-  
25 ister the program under this section through the same of-

1 fice or official under the Assistant Secretary for Commu-  
2 nity Planning and Development that administers the Self-  
3 Help and Assisted Homeownership Opportunity Program,  
4 as authorized under section 11 of the Housing Oppor-  
5 tunity Program Extension Act of 1996 (42 U.S.C. 12805  
6 note)

7 (k) CLOSE-OUT.—The Secretary shall close out a  
8 grant made under this section upon determining that the  
9 aggregate amount of any assistance provided from the  
10 fund established under subsection (e)(1) by the grantee  
11 organization or consortium exceeds the amount of the  
12 grant. For purposes of this subsection, any interest, fees,  
13 and other earnings of the fund shall be excluded from the  
14 amount of the grant.

15 (l) REPORT TO CONGRESS.—Not later than 90 days  
16 after close-out of all grants under this section is com-  
17 pleted, the Secretary shall submit a report to the applica-  
18 ble Committees describing—

19 (1) the grants made under this section;  
20 (2) the grantees;  
21 (3) the housing for which abatement or removal  
22 of environmental hazards was performed in connec-  
23 tion with the grant amounts; and  
24 (4) the purposes for which the grant amounts  
25 were used.

1   **SEC. 4. DEFINITIONS.**

2       For purposes of this Act, the following definitions  
3   shall apply:

4           (1) APPLICABLE COMMITTEES.—The term “ap-  
5       plicable Committees” means the House Committee  
6       on Financial Services and the Senate Committee on  
7       Banking, Housing, and Urban Affairs.

8           (2) ENVIRONMENTAL HAZARD.—The term “en-  
9       vironmental hazard” means any condition that  
10      causes exposure to lead, asbestos, mold, and other  
11      hazards as determined by the Secretary.

12          (3) SECRETARY.—The term “Secretary” means  
13      the Secretary of Housing and Urban Development.

14          (4) UNITED STATES.—The term “United  
15      States” includes the States of the United States, the  
16      District of Columbia, the Commonwealth of Puerto  
17      Rico, the Commonwealth of the Northern Mariana  
18      Islands, Guam, the Virgin Islands, American Samoa,  
19      and any other territory or possession of the United  
20      States.

21   **SEC. 5. AUTHORIZATION OF APPROPRIATIONS.**

22      There is authorized to be appropriated such sums as  
23      may be necessary to carry out this Act.

**1 SEC. 6. SUNSET.**

2       The Secretary shall not enter into any grant agree-  
3 ment, contract, or obligation under this Act after the con-  
4 clusion of fiscal year 2024.

